

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	May 16, 2011
Action Required:	Approval of Ordinance
Presenter:	Jeanie Alexander, P.E. City Traffic Engineer
Staff Contacts:	Jeanie Alexander, P.E. City Traffic Engineer
Title:	14 and Under Helmet Ordinance

Background and Discussion:

The Code of Virginia, §46.2-906.1, allows local governments to require children age 14 and under to wear helmets while riding a bicycle, electric personal assistive mobility device, toy vehicle, electric power-assisted bicycle, motorized skateboard or motorized scooter on any highway, street, sidewalk or bicycle path. Requiring children to wear helmets while cycling is one of the items identified by the Bicycle and Pedestrian Safety Committee as a priority to improve safety for young cyclists.

Staff is working with Bike Charlottesville and ACCT to acquire free and discounted helmets for those young cyclists currently without helmets. If passed, enforcement of this ordinance includes suspension of the \$25 fine for first time violators and violators who acquire helmets prior to the imposition of the fine.

Alternatives:

Leave the Code unchanged.

Budgetary Impact:

None

Recommendation:

Amend City Code as noted above.

Attachments:

None

**AN ORDINANCE
ADDING A NEW SECTION NUMBERED 15-252 TO ARTICLE VI
(BICYCLES AND MOPEDS) OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC)
OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
REQUIRING RIDERS AGE 14 AND UNDER TO WEAR HELMETS
WHEN RIDING BICYCLES AND OTHER MOTORIZED VEHICLES.**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Article VI of Chapter 15 of the Charlottesville City Code, 1990, as amended, is hereby amended to add a new section, to be numbered Section 15-252, to read as follows:

Sec. 15-252. Helmets required for riders age fourteen (14) and younger of bicycles and certain other motorized vehicles.

- (a) Every person fourteen (14) years of age or younger shall be required to wear a protective helmet which meets the Consumer Product Safety Commission standard whenever riding or being carried on a bicycle, electric personal assistive mobility device, toy vehicle, electric power-assisted bicycle, motorized skateboard or motorized scooter on any highway, street, sidewalk or bicycle path.
- (b) A violation of any provision of this section shall be punishable by a fine of twenty-five dollars (\$25.00). However, such fine shall be suspended (i) for first-time violators or (ii) for any violator who, subsequent to the violation but prior to imposition of the fine, purchases a helmet of the type required by this section.

* **State law reference** – Code of Virginia, Sec. 46.2-906.1.

- Bicycle lane markings are being added and replaced with the current standard (9C-3B).

Public Education

With the introduction of new markings and signs, a public education effort will take place to communicate to motorists and cyclists their intent.

Legislative Items

Three bills related to cycling, supported by the committee and City Council, were introduced earlier this year. The bills enact a sub-reckless driving charge, the space to be provided surrounding a cyclist (most frequently referred to as 3 foot passing) and contraflow bicycle lanes on one-way streets. None of the three bills were passed. A summary related to each follows. The bills are attached.

Three Foot Passing SB 928

Two very similar bills, one in the House and one in the Senate were sponsored. The Senate bill made it through the Senate Transportation Committee and Senate but died in a House Transportation Subcommittee.

Sub-reckless Driving Charge SB 905

This bill made it through the Senate Transportation Committee and Senate but died in a House Transportation Subcommittee.

Contraflow Bicycle Lanes on One-Way Streets SB 1234

This bill made it through the Senate Transportation Subcommittee, Senate, a House Transportation Subcommittee and died in the House Transportation Committee in a close vote.

Enforcement

May 2nd through May 6th the Police Department is conducting a spring Pedestrian and Bicyclist Safety Campaign. The focus of the campaign will be the enforcement of traffic regulations applying to motorists

failing to yield to pedestrians in crosswalks and motorists that fail to yield to bicyclists on West Main Street, Water Street, E. Market St and University Ave. The effort is funded by a DMV highway safety grant. As part of the effort, educational materials will be handed out during each encounter with motorists, cyclists and pedestrians.

Bike Week

Bike Charlottesville, in conjunction with Community Bikes and ACCT, is celebrating Bike Week (May 16-21st). More details can be found at <http://bikecharlottesville.org/content/bike-week-2011>.

Under 14 Helmet Ordinance

The first reading of the City's Under 14 Helmet Ordinance will take place on Monday, May 16th. Staff is working with Bike Charlottesville and ACCT to gather free and discounted helmets.

Budgetary Impact:

Any changes that require funding will be completed with funds appropriated by City Council in the CIP.

Recommendation:

No action is needed if the Council agrees with the proposed changes.

Attachments: